

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MOHAMMED WISHAH,

Plaintiff,

vs.

THE CITY OF COUNTRY CLUB HILLS,

MISSOURI, et al.,

Defendants.

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No. 4:19-cv-03410-SRC

OFFICER DENNIS EPPS' MOTION TO STRIKE PORTIONS OF
"PLAINTIFF'S RESPONSES TO OFFICER DENNIS EPPS' STATEMENT OF
UNDISPUTED MATERIAL FACTS"

Comes now Defendant, Officer Dennis Epps, and moves to strike from "Plaintiff's Responses to Officer Dennis Epps' Statement of Undisputed Material Facts" (ECF Doc 69) the responses to Paragraphs 6, 9, 17, and 21-23 for being in violation of both the letter and spirit of Federal Rule of Civil Procedure 56 and this Court's Local Rule 4.01. Those responses all purport to deny a summary judgment movant's numbered fact, but then nowhere cite to record evidence actually disputing that fact and instead provide non-responsive, lengthy narratives alleging other matters.

Officer Epps moves to strike from the same submission the responses to Paragraphs 8, 10-12, 18-20, and 24-29 for being in violation of both the letter and spirit of Federal Rule of Civil Procedure 56 and this Court's Local Rule 4.01. Those responses all purport to deny a summary judgment movant's numbered fact, but then nowhere cite to record evidence actually disputing that fact and instead refer to other responses (specifically, the responses to 6, 9, 17, and 21-23 referred to in the immediately preceding

paragraph) without specifying where in those responses any citation to record evidence refuting the fact might be found.

In further support hereof, Officer Epps submits his “Memorandum in Support of Officer Epps’ Motion to Strike Portions of Plaintiff’s Responses” substantially simultaneously herewith.

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Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was sent via the court clerk’s electronic notification system to all counsel of record, including Jay Kanzler, 2001 S. Big Bend, St. Louis, MO, 63117, on this 5th day of March, 2021.

/s/Mark H. Zoole